

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: Valsartan, Losartan and Irbesartan
Products Liability Litigation

THIS DOCUMENT RELATES TO ALL
ACTIONS

Case No. 1:19-md-2875 (RBK/JS)

**STIPULATION AND ORDER OF DISMISSAL OF DEFENDANTS CIGNA
CORPORATION, EXPRESS SCRIPTS HOLDING COMPANY, HUMANA INC.,
OPTUM INC., AND UNITEDHEALTH GROUP**

WHEREAS Plaintiffs in this matter intended to name as a defendant in these lawsuits the Express Scripts pharmacy entity that may have dispensed valsartan-containing products to one or more of the named plaintiffs;

WHEREAS preserving all rights and objections, named Defendant Express Scripts, Inc. agrees that it will continue in this case and respond on behalf of the appropriate pharmacy entity or entities that may have dispensed valsartan-containing products;

WHEREAS the actual Express Scripts pharmacy entity that dispensed valsartan-containing products to the named plaintiffs, if any, was likely owned and operated by a subsidiary of Express Scripts, Inc., and Express Scripts, Inc. agrees to identify the appropriate pharmacy entity when sufficient information is received from named plaintiffs to reasonably support the allegation that an Express Scripts pharmacy entity dispensed valsartan-containing products to that plaintiff;

WHEREAS Cigna Corporation and Express Scripts Holding Company were named as defendants in this litigation solely in their capacity as “parent” entities of Express Scripts, Inc., and as such those entities did not and could not dispense valsartan-containing products;

WHEREAS Plaintiffs in this matter also intended to name as a defendant in these lawsuits the Humana pharmacy entity that may have dispensed valsartan-containing products to one or more of the named plaintiffs;

WHEREAS preserving all rights and objections, named Defendant Humana Pharmacy, Inc. agrees that it will continue in this case and respond on behalf of itself or the appropriate pharmacy entity when sufficient information is received from named plaintiffs to reasonably support the allegation that a Humana pharmacy entity dispensed valsartan-containing products to that plaintiff;

WHEREAS, Humana, Inc. was named as a defendant in this litigation solely in its capacity as “parent” entity to Humana Pharmacy, Inc., and as such Humana Inc. did not and could not dispense valsartan-containing products;

WHEREAS Plaintiffs in this matter also intended to name as a defendant in these lawsuits the Optum pharmacy entity that may have dispensed valsartan-containing products to one or more of the named plaintiffs;

WHEREAS preserving all rights and objections, named Defendant OptumRx agrees that it will continue in this case and respond on behalf of the appropriate pharmacy entity or entities that may have dispensed valsartan-containing products;

WHEREAS the actual Optum pharmacy entity that dispensed valsartan-containing products to the named plaintiffs, if any, was likely owned and operated by OptumRx and OptumRx agrees to identify the appropriate pharmacy entity when sufficient information is received from named plaintiffs to reasonably support the allegation that an Optum pharmacy entity dispensed valsartan-containing products to that plaintiff;

WHEREAS UnitedHealth Group and Optum Inc. were named as defendants in this litigation solely in their capacity as “parent” entities of OptumRx, and as such those entities did not and could not dispense valsartan-containing products; and

WHEREAS the Parties stipulate to the voluntary dismissal of Cigna Corporation, Express Scripts Holding Company, Humana Inc., Optum Inc., and UnitedHealth Group without prejudice;

NOW THEREFORE, IT IS ORDERED THAT all claims against Cigna Corporation, Express Scripts Holding Company, Humana Inc., Optum Inc., and UnitedHealth Group in this MDL are dismissed without prejudice, and Cigna Corporation, Express Scripts Holding Company, Humana Inc., Optum Inc., and UnitedHealth Group are dismissed without prejudice as defendants.

SO ORDERED this ____ day of _____, 2020.

Dated: June 15, 2020

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 15th day of June, 2020, the foregoing was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system upon all counsel of record.

/s/ David J. Stanoch

David J. Stanoch